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December 19, 2002

Raul Rodriguez
Rodriguez and Quiroga
2100 Ponce De Leon Boulevard
Mezzanine
Coral Gables, FL 33134

RE: REQUEST FOR ADVISORY OPINION 02-169

Dear Mr. Rodriguez:

The Commission on Ethics and Public Trust considered your request for an advisory opinion at its meeting on December 18, 2002 and rendered its opinion based on the facts stated in your letter.

You requested an opinion regarding Rodriguez and Quiroga's ability to work for a third party developer at Miami International Airport Hotel.

In your letter, you advised the Commission that in 1992, Rodriguez and Quiroga was hired by the airport to provide architectural and engineering services for the Miami International Terminal Wide and Hotel Improvements Project. Pursuant to that contract, Rodriguez and Quiroga has provided preliminary schematic drawings to the airport regarding renovation of the existing airport hotel.

Earlier this year, the airport decided to seek a third-party developer to design, build, operate and maintain the hotel

facility. The third party developer will assume all responsibilities for financing, renovation and management of the hotel. In June, 2002, the airport issued a service order to Rodriguez and Quiroga to assist the airport in establishing and implementing design criteria for the hotel renovation project. The airport has not defined the scope of services under this order.

The Commission found that Rodriguez and Quiroga may work on the team for a third party developer if the firm relinquishes any current responsibilities on the airport hotel and the firm has not provided the design criteria which the airport will use in evaluating proposals by a third-party developer. A conflict would be avoided if Rodriguez and Quiroga relinquishes its current contract because the company's work for the third-party developer would not duplicate or conflict with any prior work for the airport.

This opinion construes the Miami-Dade Conflict of Interest and Code of Ethics ordinance only and is not applicable to any conflict under state law. Please contact the State of Florida Commission on Ethics if you have any questions regarding possible conflicts under state law.

If you have any questions regarding this opinion, please call the undersigned at (305) 579-2594 or Ardyth Walker, Staff General Counsel at (305) 350-0616.

Sincerely Yours,

A handwritten signature in black ink, appearing to read "Robert Meyers", written in a cursive style.

ROBERT MEYERS
Executive Director